



CLERK, U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**ENTERED**

THE DATE OF ENTRY IS ON  
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 21, 2024

  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

In re:	§	
	§	Case No. 24-30017-sgj
1N ONLY PHIMAR LLC, <i>et al.</i> <sup>1</sup>	§	
	§	Chapter 11
Debtors.	§	(Jointly Administered)

**ORDER GRANTING DEBTORS' MOTION TO REJECT EXECUTORY  
CONTRACTS AND UNEXPIRED LEASES PURSUANT TO 11 U.S.C. § 365(a)**

CAME ON FOR CONSIDERATION the *Motion to Reject Executory Contracts and Unexpired Leases Pursuant to 11 U.S.C. § 365(a)* (the "**Motion**") filed by 1N only PhiMar LLC ("**1N Only Phimar**") and PhiMars Square, LLC ("**Phimars Square**," and collectively with 1N Only Phimar, the "**Debtors**"), debtors and debtors-in-possession in the above referenced bankruptcy case. The Court has reviewed the Motion and the file in this matter, and it appearing that the relief requested by the Motion is in the best interests of the Debtors' estate, the Debtors' creditors and other parties in interest; and the Court having

<sup>1</sup> The Debtors in these chapter 11 cases are 1N only PhiMar, LLC (the last four digits of its federal tax identification number are 4226) and PhiMars Square, LLC (the last four digits of its federal tax identification number are 3404).

jurisdiction to consider the Motion and the relief requested therein; and after due deliberation and sufficient cause appearing therefor, finds good cause exists for granting the Motion. It is therefore,

**ORDERED** that the Motion is GRANTED as set forth herein. It is further

**ORDERED** that, pursuant to 11 U.S.C. § 365, the Debtors' executory contracts and unexpired leases identified on Exhibit A (the "**Executory Contracts**") are hereby rejected by the Debtor, with such rejection being effective as of the date of the filing of the Motion, March 27, 2024 (the "**Rejection Date**"). It is further

**ORDERED** that claims of any counterparty to the Executory Contracts with respect to damages arising from the rejection of the Executory Contracts must be filed by submitting a proof of claim with the Court on or before the later of the applicable claims bar date established by the Court or thirty (30) days after the entry of this Order authorizing the rejection. It is further

**ORDERED** that nothing contained herein is or should be construed as: (a) an admission as to the validity of any claim against the Debtor; (b) a waiver of the Debtors' right to dispute any claim on any grounds; (c) a promise to pay any claim; or (d) otherwise affect the Debtors' rights under § 365 to dispute any claim for damages arising from the rejection of the Executory Contracts. It is further

**ORDERED** that the Debtor is authorized and empowered to take such actions as may be necessary and appropriate to implement the terms of this Order. It is further

**ORDERED** that this Court shall retain jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

**### END OF ORDER ###**

Prepared by:

/s/ Megan F. Clontz

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**COUNSEL FOR DEBTORS  
AND DEBTORS-IN-POSSESSION**

**EXHIBIT A**

**Executory Contracts to be Rejected by Debtors**

<b>Party &amp; Notice Address</b>	<b>Contract Date</b>	<b>Description</b>
Pathward, N.A. 5501 South Broadband Lane Sioux Falls, SD 57108	08/23/2023	Premium Finance Agreement
World Cinema Inc. 9801 Westheimer, Suite 400 Houston, TX 77042	03/01/2022	Agreement for Free to Guest Programming and Over the Top Service
Datamax P.O. Box 2235 St. Louis, MO 63139	07/15/2019	Contract for Lease of Canon Color Copier
ADP Attention: ADP Comprehensive Services SVP 5800 Windward Parkway Alpharetta, GA 30005 and Attention: General Counsel One ADP Boulevard, MS 425 Roseland, New Jersey 07068	08/24/2023	Global Master Services Agreement
Net2Phone 520 Broad St. Newark, NJ 07102	03/02/2023	Commitment Agreement for Telephone Services